

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

Cesar Fernandez,

Plaintiff,

v.

Case No. 3:18-cv-00141-HZ  
SETTLEMENT CONFERENCE  
ORDER

Apollo Mechanical Contractors, Inc.,

Defendant.

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**BECKERMAN, Magistrate Judge.**

Upon request of the parties, the above-captioned matter is set for a judicially supervised settlement conference before Judge Stacie F. Beckerman, on **Tuesday, December 4, 2018**. Plaintiff is to appear in Judge Beckerman's chambers at **9:00 a.m.**, along with any persons who have settlement authority. Defendant is to arrive at **9:30 a.m.** Other parties who may be of assistance in settling the case are welcome to attend.

The parties are required to submit a confidential settlement letter to Judge Beckerman by **5:00 p.m., five business days before the conference**. This settlement letter should not exceed five pages. PLEASE SEE ATTACHED INSTRUCTIONS REGARDING SETTLEMENT DOCUMENTS.

**Any party who, without prior court approval, fails to have all persons with settlement authority present, or any party who fails to participate in the settlement conference in good faith, may be subject to sanctions. Such sanctions may include costs and attorney fees of the other parties attending the settlement conference.**

Dated: October 2, 2018



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STACIE F. BECKERMAN  
United States Magistrate Judge

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**PREPARATION FOR SETTLEMENT CONFERENCE**

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- A. In preparation for the scheduled settlement conference, the parties are required to exchange **at least** two rounds of settlement offers **prior to** the settlement letter deadline. If, after exchanging two rounds of settlement offers, the parties determine that the settlement conference will not be a good use of resources, the parties should contact the Court to cancel the settlement conference.
- B. Each party's confidential settlement letter (not to exceed five pages), must address these points:
1. A brief summary of the key claims, counterclaims (if any), and cross-claims (if any).
  2. The three best and three worst facts for your case.
  3. Any legal issues which, when ruled upon, could substantially change your client's position in the case, either favorably or unfavorably.
  4. An explanation of any factors making settlement difficult for the parties.
  5. Any common goals that might facilitate settlement.
  6. **The status of settlement negotiations, including the last settlement proposal made by each party.** (If the parties have not completed two rounds of settlement offers prior to submitting settlement letters, the settlement conference will be rescheduled.)
  7. The fees and costs you have incurred to date, and an estimate of the anticipated fees and costs you will incur to prepare, try, and participate in an appeal of the case.

You may attach key exhibits, reasonable in number and length, such as documents constituting the alleged contract, letters or e-mails that contain an alleged admission, and similar documents, if the exhibits are critical to understanding the case or the parties' respective positions. You need not attach the pleadings.

In addition, please bring to the settlement conference (or e-mail to Judge Beckerman in advance of the conference), an electronic copy of a draft settlement agreement.

All communications made in connection with the settlement conference are confidential. **Please be candid in your settlement letter.**

These documents must be submitted to chambers by 5:00 p.m. on **November 27, 2018** via e-mail to: **[sbpropdoc@ord.uscourts.gov](mailto:sbpropdoc@ord.uscourts.gov)**.

Please call Courtroom Deputy Giselle Williams, at 503-326-8022, if you have any questions.

Thank you.

Hon. Stacie F. Beckerman  
U.S. Magistrate Judge  
927 United States Courthouse  
1000 S.W. Third Avenue  
Portland, OR 97204